REMARKS

Claims 1-42, 46-48, 51-52, and 54-60 are all the claims pending in the application.

Claims 1-42, 46-48, 51-52, and 54-60 presently stand rejected. By this Amendment, Applicant amends claim 57 to correct a grammatical error.

I.   Summary of the Office Action

The Examiner considered Applicant's arguments and requests for reconsideration filed on November 9, 2006, but deemed them unpersuasive. The Examiner maintained the rejection of claims 52 and 57-60 under 35 U.S.C. § 112, first paragraph. The Examiner maintained the rejection of claims 1-42, 46-48, 51-52, and 54-60 under 35 U.S.C. § 103(a).

II.   Claim Rejections under 35 U.S.C. § 112

Claims 52 and 57 are rejected under 35 U.S.C. § 112, first paragraph. Since claims 58-60 depend on claim 57, claims 58-60 are also rejected under 35 U.S.C. § 112, first paragraph. Applicant respectfully traverses these grounds for rejection in view of the following comments.

Each claim limitation present in claims 52 and 57 is expressly, implicitly, or inherently supported in the originally filed disclosure. See MPEP § 2163(II)(A)(3)(b), which states:

> To comply with the written description
> requirement of 35 U.S.C. 112, para. 1, or to
> be entitled to an earlier priority date or
> filing date under 35 U.S.C. 119, 120, or
> 365(c), each claim limitation must be
> expressly, implicitly, or inherently
> supported in the originally filed
> disclosure. When an explicit limitation in a
> claim "is not present in the written
> description whose benefit is sought it must
> be shown that a person of ordinary skill

would have understood, at the time the
patent application was filed, that the
description requires that limitation." *Hyatt
v. Boone*, 146 F.3d 1348, 1353, 47 USPQ2d
1128, 1131 (Fed. Cir. 1998).

Thus, each explicit claim limitation must be supported in the originally filed disclosure, but the support in the disclosure need not be express. It is sufficient that a person of ordinary skill would have understood, at the time the patent application was filed, that the description requires a limitation.

With respect to claim 52, the Examiner finds Applicant's argument that the specification does properly convey, "at least two of said plurality of applets do not inherit functions from same base class," to be unpersuasive. Applicant respectfully maintains that this subject matter is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

The Examiner acknowledges that "the specification may disclose that various independent applets can be loaded" but alleges that "such a disclosure does not include that the plurality of applets do not inherit functions from the same base class." Applicant respectfully asserts that the disclosure that various independent applets can be loaded would apprise a person having ordinary skill in the art of the significant likelihood that at least two of the independent applets do not inherit functions from the same base class. For example, a loan calculator applet and a word processor applet could be included among the independent applets. The loan calculator applet could inherit functions from a calculator base class. The word processor applet could inherit functions from a text rendering base class.

In this example, the loan calculator applet and the word processor applet do not inherit functions from the same base class. Furthermore, a person having ordinary skill in the art would understand that as the similarity in function between two applets decreases, the likelihood of the two applets inheriting functions from the same base class decreases as well. Thus, with the knowledge that "various independent applets can be loaded," a person having ordinary skill in the art would implicitly understand that applets with widely diverging functions can be loaded, and the more divergent the functions between two applets, the less likely the applets are to inherit functions from the same base class. Thus, because various independent applets can be loaded, it is implicit in the disclosure that "at least two of the plurality of applets do not inherit functions from the same base class."

Applicants thus respectfully assert that "at least two of the plurality of applets do not inherit functions from the same base class" is adequately described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully submit that withdrawal of the rejection of claim 52 under 35 U.S.C. § 112, first paragraph is proper.

With respect to claim 57, the Examiner finds Applicant's argument that the specification does properly convey, "the plurality of applets are not yet loaded for execution," to be unpersuasive. Applicant respectfully maintains that this subject matter is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. In support of this assertion, Applicant respectfully points to a different part of the specification as

15

further support for Applicant's assertion that this subject matter is described in the specification.

Specifically, Applicant points to page 5, lines 3-5 of the specification, which discloses:

"According to an embodiment of the invention, one or more applets selected by a user are received. Separate windows for each selected applet are generated. Then, each applet is executed in a separate window."

The specification thus explicitly discloses that "one or more applets selected by a user are received." Receiving an applet would be understood by a person having ordinary skill in the art to mean receiving the computer code for the program steps to be performed by the applet. Receiving computer code for the program steps to be performed by the applet would be understood by a person having ordinary skill in the art to be loading the applet.

Thus, because the specification explicitly discloses "one or more applets selected by a user are received (loaded)," it is implicit that the one or more applets selected by the user that are received (loaded) are *not* loaded until *after* the one or more applets are selected by the user. There is no teaching or motivation for *re*-loading an applet that has already been loaded, so a person having ordinary skill in the art would necessarily understand the disclosure that "one or more applets selected by a user are received" to mean that that "the plurality of applets are not yet loaded for execution" preceding the selection of the plurality of applets.

Applicants thus respectfully assert that "the plurality of applets are not yet loaded for execution" is adequately described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had

possession of the claimed invention. Applicants respectfully submit that withdrawal of the

rejection of claim 57 under 35 U.S.C. § 112, first paragraph is proper.

Because claims 58-60 are rejected under 35 U.S.C. § 112, first paragraph because of the

same limitation as in claim 57, Applicants respectfully submit that withdrawal of the rejection of

claims 58-60 under 35 U.S.C. § 112, first paragraph is also proper.

III.   Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 9-12, 14-18, 23-26, 28-32, 37-40, 42, 46-48, 51-52, 54-58, and 60 are

rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/43170 to Banthia

(hereinafter "Banthia"). Claims 5-8, 19-22, 33-36, and 59 are rejected under 35 U.S.C. § 103(a)

as being unpatentable over Banthia and U.S. Patent No. 5,561,757 to Southgate (hereinafter

"Southgate"). Claims 13, 27, and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable

over Banthia and "The Swing Tool Set" article (hereinafter "STS").

The Examiner rejected as unpersuasive Applicants' argument that Banthia does not

render Applicants' claims obvious. Applicants respectfully maintain that Applicants' claims are

not rendered obvious over Banthia and respectfully traverse these grounds for rejection in view

of the following arguments and comments.

The initial burden of establishing that a claimed invention is *prima facie* obvious rests on

the USPTO. *In re Rikckaert*, 9 F.3d 1531, 1532 (Fed. Cir. 1993). To make its *prima facie* case

of obviousness, the USPTO must satisfy three requirements:

a) The prior art relied upon, coupled with the knowledge generally available in the art at

the time of the invention, must contain some suggestion or incentive that would have

motivated to artisan to modify a reference or to combine references. *In re Thrif,* 298

F.3d 1357, 1363 (Fed. Cir. 2002).

b) The proposed modification of the prior art must have had a reasonable expectation of

success, and that determined from the vantage point of the artisan at the time the

invention was made. *Amgen, Inc. v. Chugai Pharm. Co.,* 927 F.2d 1200, 1209 (Fed.

Cir. 1991).

c) The prior art reference or combination of references must teach or suggest all the

limitations of the claims. *In re Vaeck,* 20 U.S.P.Q.2d 1438, 1442 (Fed. Cir. 1991); *In*

re Wilson, 424 F.2d 1382, 1385 (CCPA 1970).

Applicant respectfully submits that the prior art reference or combination of references does not

teach or suggest all the limitations of the claims, as shown below. Consequently, Applicant

respectfully submits that the prior art references do not establish obviousness of the claimed

invention.

Claims 1, 15, 29, 46, and 57 are the only independent claims. Claims 1, 15, and 29 each

contain the limitation, "wherein each selected applet is displayed in the separate window inside

the displayed main applet." Claim 46 contains the limitation, "the main applet executing and

displaying each of the selected applets in the separate window inside the displayed main applet."

Claim 57 contains the limitation, "displaying and executing each loaded applet in a separate

window within the displayed main applet." Each of the aforementioned limitations thus

discloses that each selected applet is displayed in the separate window *inside the displayed main*

applet or discloses the displaying of each selected (or loaded) applet in the separate window

inside the displayed main applet.

Thus, the claims explicitly disclose the limitation that each selected applet is displayed

inside the main applet. Displaying each selected applet inside the same browser window but

outside the main applet or displaying each selected applet inside a separate browser window is

not "displaying each of the selected applets in the separate window *inside the displayed main*

applet." Indeed, not only does Banthia fail to teach or suggest displaying each of the selected

applets *inside the displayed main applet,* Banthia fails even to teach or suggest displaying each

of the selected applets inside *any* other applet. Instead, each of the selected applets is displayed

inside the same browser window, yet not inside any other applet, or is displayed inside separate

browser windows "torn off" from the main window (page 8, lines 19-38).

Banthia relies on a completely different method of organizing the display of the selected

applets. The selected applets (display applets) are arranged in separate windows <u>inside the same</u>

<u>browser page but not inside any other applet</u> (page 8, lines 19-24). While Banthia does disclose

a controlling applet, it is implicit in Banthia's disclosure that the display applets are *not*

displayed inside the controlling applet. This implication is necessary because the controlling

applet has height and width parameters of zero, but the display applets are visible to the user.

Banthia discloses that a user can click on the "window" icon at the upper left corner of each

display applet (page 8, lines 25-27), indicating that the display applets must be visible to the

user; furthermore, the display applets have a height parameter of 220 and a width parameter of

200 (page 8, lines 21-23). Display applets that are visible to the user and that have a height

parameter of 220 and a width parameter of 200 could not be displayed inside a control applet window that has height and width parameters of zero (page 8, lines 23-24). Thus, it is implicit in Banthia's disclosure that the display applets are *not* displayed inside the controlling applet.

Banthia does not teach or suggest any means for resizing or repositioning the separate applet windows within the same browser page. Instead, Banthia relies on an alternate means for organizing the display of the separate applet windows, proving a means for the applets to be "torn off" of the main browser window and displayed in separate browser windows (page 8, lines 25-38). The user can thus resize or reposition the separate browser windows to control the display of the applets.

There is no teaching or suggestion regarding displaying the separate applet windows inside of a main applet or any other applet. Banthia, in fact, teaches *away* from displaying the separate applet windows within a main applet or any other applet because Banthia provides an alternate method of organizing the display of the separate applet windows by providing a method for "tearing off" a separate applet window from the main browser window and displaying the torn off applet in a separate browser window, allowing a user to reposition the torn off browser windows in order to resize or reposition the separate applet windows (page 4, lines 3-17).

Banthia therefore does not teach or suggest displaying each selected applet *inside the main applet*. Because Banthia does not teach or suggest each of the limitations of independent claims 1, 15, 29, 46, and 57, Applicants respectfully submit that withdrawal of the 35 U.S.C. § 103(a) rejections of independent claims 1, 15, 29, 46, and 57 is appropriate. Applicants further submit that dependent claims 2-14, 16-28, 30-42, 47-48, 51-52, 54-56, and 58-60 are patentable

at least by virtue of their dependence on independent claims 1, 15, 29, 46, and 57. Applicants

respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejections of the dependent claims

2-14, 16-28, 30-42, 47-48, 51-52, 54-56, and 58-60.

IV.   Claim Amendment

By this Amendment, Applicants amend claim 57 to correct a grammatical error. An

unnecessary preposition was removed from the claim. Applicants respectfully submit that this

amendment of claim 57 does not bear on the patentability of claim 57.

V.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Nataliya Dvorson
Registration No. 56,616

WASHINGTON DC SUGHRUE/142133

46159
CUSTOMER NUMBER

Date: April 9, 2007

Attorney Docket No.: A8063